

1 DANIEL J. BERGESON, Bar No. 105439
dbergeson@be-law.com
2 MELINDA M. MORTON, Bar No. 209373
mmorton@be-law.com
3 DONALD P. GAGLIARDI, Bar No. 138979
dgagliardi@be-law.com
4 MICHAEL W. STEBBINS, Bar No. 138326
mstebbins@be-law.com
5 BERGESON, LLP
303 Almaden Boulevard, Suite 500
6 San Jose, CA 95110-2712
Telephone: (408) 291-6200
7 Facsimile: (408) 297-6000
8 Attorneys for Plaintiff
VERIGY US, INC.
9

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 VERIGY US, INC, a Delaware Corporation

Case No. C07 04330 RMW (HRL)

14 Plaintiff,

**PLAINTIFF'S ADMINISTRATIVE
MOTION FOR LEAVE TO FILE
DOCUMENTS UNDER SEAL**

15 vs.

16 ROMI OMAR MAYDER, an individual;
17 WESLEY MAYDER, an individual; SILICON
TEST SYSTEMS, INC., a California Corporation;
18 and SILICON TEST SOLUTIONS, LLC, a
California Limited Liability Corporation,
inclusive,

Judge: Honorable Howard R. Lloyd
Ctrm: 2

19 Defendants.
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Complaint Filed: August 22, 2007
Trial Date: None Set

21 AND RELATED CROSS-ACTIONS
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Pursuant to Civil Local Rules 7-11(a) and 79-5(b), Plaintiff Verigty U.S., Inc. (“Plaintiff” or “Verigty”) requests that the following materials be filed under seal, as they contain confidential information that is protected by the Stipulated Protective Order entered by the Court on August 29, 2007. The documents submitted under seal include:

5 1. Portions of Verigy's Memorandum of Points & Authorities in Opposition to
6 Defendants' Motion to Compel Further Production of Documents from Plaintiff Verigy in
7 Response to First Document Request (the "MPA"); and

8 || 2. Exhibit A to the Declaration of Michael W. Stebbins.

9 These materials (hereafter “the Materials”) each disclose information that has been
10 designated as “Highly Confidential—Attorneys’ Eyes Only” (portions of the MPA and Exhibit A
11 to the Declaration of Michael W. Stebbins or “Confidential” by the parties under the protective
12 order, without objection to those designations (although Verigy reserves its rights to challenge
13 such designations pursuant to the Stipulated Protective Order). Although the information in the
14 Materials has been designated as protected from disclosure under the Protective Order, Verigy
15 relies on this information in support of its MPA. The parties’ confidentiality interest therefore
16 overcomes the right of public access to the record, as a substantial probability exists that the
17 parties’ overriding confidentiality interest will be prejudiced if the record is not sealed. Further,
18 the proposed sealing is narrowly tailored and no less restrictive means exist to achieve this
19 overriding interest

Pursuant to Local Civil Rule 79-5(b)-(c), Verity therefore lodges the Materials with this Court, and respectfully requests leave to file the aforementioned documents under seal.

22 || Respectfully submitted,

24 | Dated: September 9, 2008

BERGESON, LLP

25 By: _____ /s/
26 Melinda M. Morton
27 Attorneys for Plaintiff
VERIGY US, INC.